

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA

CRIMINAL ACTION NO.
1:16cr213-WKW

v.

HUSAM USAMA TAYEH

ORDER

The defendant by consent has appeared before a United States Magistrate Judge and has entered a plea of guilty. The Magistrate Judge accepted the guilty plea and has adjudicated the defendant guilty. Accordingly, it is ORDERED as follows:

1. Sentencing of the defendant is hereby set on **October 26, 2016, at 10:45 a.m.**, Courtroom 2B, the Frank M. Johnson, Jr. United States Courthouse, One Church Street, Montgomery, Alabama.

2. In accordance with Rule 32(f)(1), *Federal Rules of Criminal Procedure*, counsel for the defendant and the Government shall communicate in writing to the probation officer, and to each other, any objections they have as to any material information, sentencing classifications, sentencing guideline ranges, and policy statements contained in or omitted from the presentence report. The probation officer will notify parties of the objection deadline and will schedule a conference to discuss and resolve, if possible, any factual and legal issues contained in the presentence report.

3. Any motion for downward departure shall be filed on or before the conference date with the probation officer, unless based on unknown and unforeseen circumstances arising after that date, in which case the motion must be filed promptly upon discovery of such circumstances.

4. Counsel for the defendant and the Government are to notify the Court at least two weeks prior to the sentencing date if the hearing is anticipated to take more than one hour.

5. Government motions shall be filed 5 working days before sentencing.

6. Sentencing memoranda are not required; however, any party desiring to submit a sentencing memorandum shall file it not less than 5 working days before sentencing, with copies served on opposing counsel and the probation officer assigned to the case. Attachments and exhibits to sentencing memoranda shall not be filed electronically, but shall be served on opposing counsel and probation, and delivered to the court not less than

5 days before sentencing. If they become evidence at sentencing, they shall be offered as such at the hearing.

CDs, DVDs, and other audio-visual recordings which are or may be testimonial shall be exchanged with opposing counsel 10 calendar days before sentencing. If opposing counsel has objections, they shall be addressed in writing to the party offering the recording. If the parties cannot resolve the objections at least 5 days before sentencing, the court will deal with the recording as potential evidence at the sentencing hearing. If opposing counsel has no objections, the recording shall be delivered to the court 5 working days before sentencing with a copy to probation, and with a representation by counsel that there are no objections. Likewise, the recording shall be offered into evidence in the usual fashion.

Nothing contained in this Order shall be construed as impairing the rights of any party as established in the Constitution or laws of the United States.

DONE this 12th day of July, 2016.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE